

**REMARKS**

The only issue outstanding in the present application is the rejection of method claims 21, 24-26 and 30 under 35 U.S.C. § 112, first paragraph. The compound claims, and method claims 31-32, have been indicated as being allowable. It is respectfully submitted that in view of the cancellation of the majority of method claims, and the amendment of method claim 21 to recite a method for treating asthma, it is submitted that the rejection is moot. It is noted that the Office Action admits, at page 24, that PDE-4 inhibitors would be expected to produce bronchodilation and, moreover, at page 25, that PDE-4 inhibitors have been effective in the treatment of asthma (see line 20 of page 25.) It is accordingly respectfully submitted that the claims fully satisfy the requirements of the statute, and that all issues are now moot. Passage to issue is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Harry B. Shubin/

Harry B. Shubin, Reg. No. 32,004  
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-2957

Date: January 12, 2009

HBS/pdr